


<b>Student appeal procedure</b>				
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<p><b>Pending the approval of Unitary Policies and Procedures; This policy document applies only to student registered in the Blanchardstown Campus of TU Dublin.</b></p>				

## Student appeal procedure

### Revision History

Revision	Date	Revision Description DCRT#	Originator
01	22 August 03	Conversion of OP167	Lisa Whelan
02	30 December 2003	Inclusion of reference to apprentice learners; include section on mode of operation	Diarmuid O'Callaghan
03	23 March 2005	Update based on experience with version 02; Broadening of terms of reference to include provision of information by Institute staff and restricting introduction of new material at appeal stage if appeal is based on previous Institute procedure	Diarmuid O'Callaghan
04	1 August 2008	Title change Director to President	Registrar
05	2 May 2013	Membership of Student Appeals Board amended.	Registrar
06	17 July 2019	Title change of Institute from ITB to TU Dublin Blanchardstown and change of title from President to Principal	Registrar
07	26 September 2019	Cross-reference to Fitness to Practice Policy and referral Procedures for Applied Social Studies in Social Care (3CD12)	Academic Quality Manager- Registrar's Office

## 1. Purpose

The Institute has established a student appeals procedure, through which a student can refer any grievance in relation to any aspect of Institute administration and operation. This process should not be used in the first instance for matters relating to examination results. Learners are referred to 3AS10, Examination paper inspection & result recheck, review and appeal procedures, which is designed specifically to address issues relating to examination result appeals. However, issues not addressed to the satisfaction of the learner through processes outlined in 3AS10 may also be referred through this process.

## 2. Scope

This procedure applies to all registered students of the Institute, including apprentice learners. This process may not address issues that are considered potentially to be in breach of any National legislation or potentially criminal issue.

A student is expected to make every effort to resolve any grievance or issue with the appropriate person or persons in admissions, registration, student affairs, department, or school/centre concerned before resorting to this procedure. If not resolved, the grievance should then be referred to the appropriate Head of Department or School before resorting to this procedure.

## 3. Reference

3SS03	Student Charter
3AS10	Examination paper inspection & result recheck, review and appeal procedures

## 4. Procedure

- If any student feels that their grievance has not been properly and fairly addressed using established Institute channels of communication, it can be referred through this student appeal process.
- Any request for an appeal through this student appeal process can be made in writing to the Principal, together with submission of a fee of €100, which is refundable if the appeal is successful.
- A request for an appeal must identify clearly
  - o The grounds on which the appeal is being sought
  - o Provide all information that the student requires to be taken into account
  - o Provide information on previous efforts to resolve the matter locally
- Formal processing of any such appeal will be completed in a timely manner, given the nature of the issue being addressed.
- If considered appropriate by the Principal, the Principal may establish a student appeals board to advise and recommend a course of action.
- If any matters being considered by the Principal as part of the appeal process are considered to be potentially in breach of any National legislation, or potentially a criminal

matter, the issue will be referred directly to An Garda Síochána, and any internal process will be suspended pending a report from An Garda Síochána.

- The appellant shall be informed in writing of the outcome of the appeal by the Principal.
- Where appropriate, the Principal shall notify appropriate staff and bodies of the outcome of the appeal.
- No further appeal will lie within the Institute in respect of the circumstances of the appeal.

## **5. Membership of student appeals board**

- Membership of an appeals board shall be determined by the Principal and will be based on the specific nature and needs of the individual case presented. Membership may include, but is not limited to, the following:
  - A Chairperson: A person with experience of higher education or a legal person, external to the Institute, or a senior member of ITB management;
  - A Head of School or Department;
  - An Academic staff member(s);
  - A staff member(s) from the Registrar's office; and/or
  - The Students' Union President or their nominee. (*A student union representative will not be required for Garda Vetting appeal hearings.*)
- In determining membership of the appeals board, all members should be neutral and independent of decisions made previously regarding the case and the Principal will take due regard of any potential conflict of interest or previous involvement in the case (if any).
- An administrative agent may be present for record keeping and to assist the board.

## **6. Terms of reference of a student appeals board**

- The student appeals board:
  - o shall consider the request and the reasons stated for the appeal;
  - o shall invite the appellant to attend the appeals board;
  - o may also seek further information or advice from such persons as it considers necessary, including persons from other providers or external bodies;
  - o may invite such persons to attend and address the appeals board;
  - o Shall consider all the evidence provided.
  - o Shall consider other information presented by representatives of the Institute considered relevant to the case.
  - o Shall make a recommendation to the Principal relating to the outcome of the appeal
- The appellant will be told that they may be accompanied by a person of their choice.
- The appellant may address the board on the circumstances of their appeal.

- In the event of the appeal being considered on foot of the outcome of another formal Institute process such as a decision of an individual staff member, examination board decision, course board decision or student disciplinary hearing decision, the relevant decision makers may address the board.
- In the event of an appeal being considered on foot of the outcome of another formal Institute process such as an decision of an individual staff member, examination board decision, course board decision or student disciplinary hearing decision, new material may not be considered by the appeals board before first referring this material to the original decision making individual or group.
- All decisions of an appeals board shall be by majority vote. In the event of a tie, the Chairperson shall have a casting vote.

In the event of appeals in relation to Fitness to Practice in Applied Social Studies in Social Care, the procedure is set out in Policy 3CD12 Fitness to Practice Policy and Referral Procedures for Applied Social Studies in Social Care.

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